IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE GODA RAGHURAM**

**WRIT PETITION NO : 14886 of 2005**

Between:

Sri Rama Krishna, Bodapati, S/o. Lachanna, R/o. Veeravarpupeta, Tuni, East Godavari Dist, Andhra Pradesh, Pin 533401.

**..... PETITIONER**

AND

1 Commissioner Of Prohibition & Excise, Hyderabad.
2 Deputy Commissioner, Prohibition & Excise, Kakinada.
3 Superintendent Of Prohibition & Excise, Kakinada.
4 Commissioner/ Special Officer, Tuni Municipality.
5 Excise Inspector, Prohibition & Excise, East Godavari.

6 Inuganti Sivamma, W/o Inuganti Satyanarayana, M/s Sai Bar & Restaurant, Municipal Shop, Gollapalli Centre, Tuni, East Godavari District.

(Impleaded as per the Court order *vide* WPMP. No.19025 of 2005, dated 11.07.2005)
7 Sri Karri Yedukondalu, S/o. Sathi Raju, Proprietor,
M/s. Sai Laxmi Restaurant & Bar, Door No. 8-2-1, Municipal Shop No.55, Gollappa Rao Center, Tuni, East Godavari Dist.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue direction or writ end to direct the respondent No.1 not to issue any licence to Bar & Restaurant in the Gollapalli Rao Market centre violating the G.O.Ms.No. 977 dated 24.5.2005 and any other consequential relief, which the petitioner is entitled to and may pass any other order or orders in the interest of justice.

**Counsel for the Petitioner : MRS.S.THAMSHA RANI**

**Counsel for the Respondent Nos.1 to 5: GP FOR PROHIBITION & EXCISE**

**The Court made the following :**

**ORDER:**

The writ petition is premature. Apprehending that the

1st respondent would issue IL-17 licence for establishing a bar and restaurant to respondent Nos.6 and 7 in contravention of the rules issued in G.O.Ms.No.997, dated 24.05.2005, the writ petition is filed.

The petitioner claims to be a social worker, who apprehends that the issuance of the IL-17 licence in favour of respondent Nos.6 and 7 would cause serious traffic hazards, as the premises chosen by respondent Nos.6 and 7 for establishment of bar and restaurant do not have adequate parking facilities. Admittedly, no licence has been granted as yet.

In these circumstances, the writ petition is premature and is accordingly dismissed. The petitioner is at liberty to pursue the remedies after licence is granted. No order as to costs.

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***GODA RAGHURAM, J***

Dated:11.07.2005

*GJ*

To

1 The Commissioner Of Prohibition & Excise, Hyderabad.
2 The Deputy Commissioner, Prohibition & Excise, Kakinada.
3 The Superintendent Of Prohibition & Excise, Kakinada.
4 The Commissioner/ Special Officer, Tuni Municipality.
5 The Excise Inspector, Prohibition & Excise, East Godavari.

6 Two C.Cs. to the G.P. for Prohibition & Excise, High Court of A.P., Hyderabad. (O.U.T.)

7 Two C.D. copies.